

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

WAYNE ALVIN EVERHART

PLAINTIFF

v.

Civil No. 4:19-cv-4090

SOUTHERN HEALTH PARTNERS, INC.
and SEVIER COUNTY, ARKANSAS.

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed December 2, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 16). Judge Bryant recommends that the Court grant Defendant Sevier County, Arkansas's motion to dismiss (ECF No. 11) and dismiss this case with prejudice. Judge Bryant also recommends that the dismissal be counted as a "strike" for purposes of 28 U.S.C. § 1915(g).

Plaintiff Wayne Alvin Everhart has not filed objections to the Report and Recommendation objected and the time to do so has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation (ECF No. 16) *in toto*. Defendant Sevier County's motion to dismiss (ECF No. 11) is hereby **GRANTED**. Accordingly, Plaintiff's complaint is hereby **DISMISSED WITH PREJUDICE**. The Clerk of Court is hereby **DIRECTED** to place a "strike" flag on this case, pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED, this 23rd day of December, 2019.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge